GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services – Revenue Department – Sri K.Swaminaik, former Panchayat Secretary (i/c), Konanki Village, Piduguralla Mandal, presently working as Panchayat Secretary, Janapadu Village, Piduguralla Mandal, Guntur District - Initiation of disciplinary proceedings under Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 – Articles of charge - Issued.

==========

REVENUE (VIGILANCE.I) DEPARTMENT

G.O.RT.No.430 **Dated:12-07-2021**

-o0o-

O R D E R:

It is proposed to hold an enquiry against Sri K.Swaminaik, former Panchayat Secretary (i/c), Konanki Village, Piduguralla Mandal, presently working as Panchayat Secretary, Janapadu Village, Piduguralla Mandal, Guntur District in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure- I). A statement of imputations of misconduct / misbehaviour in support of each article of charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charge proposed to be sustained are also enclosed (Annexures-III & IV).

3. Sri K.Swaminaik, former Panchayat Secretary (i/c), Konanki Village, Piduguralla Mandal, presently working as Panchayat Secretary, Janapadu Village, Piduguralla Mandal, Guntur District is directed to submit, within 10 days from the date of receipt of this order, a written statement of his defence.

4. Sri K.Swaminaik, former Panchayat Secretary (i/c), Konanki Village, Piduguralla Mandal, presently working as Panchayat Secretary, Janapadu Village, Piduguralla Mandal, Guntur District is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri K.Swaminaik, former Panchayat Secretary (i/c),Konanki Village, Piduguralla Mandal, presently working as Panchayat Secretary, Janapadu Village, Piduguralla Mandal, Guntur District is further informed that if he does not submit his written statement of defence on or before the date specified in para 3 above, further action will be processed based on the material available.

6. Attention of Sri K.Swaminaik, former Panchayat Secretary (i/c),Konanki Village, Piduguralla Mandal, presently working as Panchayat Secretary, Janapadu Village, Piduguralla Mandal, Guntur District is invited to Rule 24 of the Andhra Pradesh Civil Services (conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that Sri K.Swaminaik, former Panchayat Secretary (i/c),Konanki Village, Piduguralla Mandal, presently working as Panchayat Secretary, Janapadu Village, Piduguralla Mandal, Guntur District is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of the Order be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V.USHARANI
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri K.Swaminaik, former Panchayat Secretary (i/c),Konanki Village, Piduguralla Mandal, presently working as Panchayat Secretary, Janapadu Village, Piduguralla Mandal, Guntur District (through the District Collector, Guntur.)

Copy to:
The Chief Commissioner of Land Administration, A.P., Vijayawada.
The District Collector, Guntur(with a request to serve the order on the individual and furnish served copy of this G.O. within a week).
S.F./S.C.

// FORWARDED BY ORDER //

SECTION OFFICER

ANNEXURE-I

STATEMENT OF ARTICLE OF CHARGE FRAMED AGAINST SRI K.SWAMINAIK, FORMER PANCHAYAT SECRETARY (I/C), KONANKI VILLAGE, PIDUGURALLA MANDAL, PRESENTLY WORKING AS PANCHAYAT SECRETARY, JANAPADU VILLAGE, PIDUGURALLA MANDAL, GUNTUR DISTRICT.

Article of Charge- I:

That the said Sri K.Swami Naik, former Panchayat Secretary(I/C), Konanki (V), Piduguralla Mandal, presently working as Panchayat Secretary, Janapadu (V), Piduguralla Mandal, being a responsible Government Servant has failed in his legitimate duties and shown slackness in preventing illegal mining in his jurisdiction while he was working as Panchayat Secretary(I/C), Konanki (V), Piduguralla Mandal, and thereby caused loss to Government Exchequer, being a member of Village level team, constituted vide Collector, Guntur Proceedings Rc.No.3235/PIL/2015, Dt: 24.01.2016 to control illicit quarrying and transportation of lime stone and to prevent leakage of Mineral Revenue to the State Exchequer at Konanki village of Piduguralla Mandal. It shows his grave negligence towards legitimate duties. Thus he violated Rule 3 of APCS (Conduct) Rules, 1964

V.USHARANI
PRINCIPAL SECRETARY TO GOVERNMENT

// FORWRDED BY ORDER //

SECTION OFFICER

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF ARTICLE OF CHARGE FRAMED AGAINST SRI K.SWAMINAIK, FORMER PANCHAYAT SECRETARY (I/C),KONANKI VILLAGE, PIDUGURALLA MANDAL, PRESENTLY WORKING AS PANCHAYAT SECRETARY, JANAPADU VILLAGE, PIDUGURALLA MANDAL, GUNTUR DISTRICT.

The Deputy Director of Mines & Geology, Guntur vide Lr.No.1184/Q/2013, dt: 11.08.2018 has reported that based on the orders of the Hon'ble High Court in PIL.No.228/2015 which was filed by Sri K.Guravachari, R/o Piduguralla before the Hon'ble High Court of A.P., against the illegal quarrying and transportation of Limestone in Konanki and Piduguralla Villages of Piduguralla Mandal and Nadikudi, Kesnaupalli Villages of Dachepalli Mandal, the District Collector, Guntur vide Proceedings No.3235/PIL/2015, dt: 24.01.2016 has constituted Divisional Level, Mandal level and Village level teams with the officials of Revenue, Police, Mines and Geology Departments to control illegal mining/quarrying and transportation of Limestone in Konanki and Piduguralla Villages of Piduguralla Mandal and Nadikudi, Kesnaupalli Villages of DachepalliMandal. As the matter stands thus, Sri T.G.V.Krishria Reddy has filed a PIL.No.170/20l6 before the Hon'ble High Court of Andhra Pradesh against illegal mining/quarrying and transportation of Limestone in Konanki and Piduguralla Villages of Piduguralla Mandal and Nadikudi, Kesnaupalli Villages of Dachepalli Mandal and the Hon'ble High Court directed the respondents to place additional pleading reporting progress who already filed counter and also other respondents to file respective counters in the subject matter on allegations of illegal mining operations in the said villages. Further informed that on the directions of the District Collector, Guntur vide Proceedings Rc.No.2149/2015-E4, dt:28.07.2018, the Committee consisting of (1) Superintending Engineer, APSPDCL, Guntur (2) General manager, DIC, Guntur and (3) Joint Commissioner, State GST Department have conducted energy audit and arrived number of units of consumption of electricity for Mosaic Chips/ Limestone Low grade per ton. Based on the information furnished by the 3 member committee, the Asst.Director of Mines and Geology, Dachepalli has arrived the quantity of Low grade.

Limestone consumed by the 255 unit holders and issuing of notices to them are in process requesting to produce evidences in token of payment. of Seigniorage fee for utilizing the said quantities of Minerals in their industry.

Thus Sri K.Swaminaik, former Panchayat Secretary (i/c), Konanki Village, Piduguralla Mandal, presently working as Panchayat Secretary, Janapadu Village, Piduguralla Mandal, Guntur District being a member of Village level team constituted vide Collector, Guntur Proceedings Rc.No.3235/PIL/2015, Dt:24.01.2016 has failed in his legitimate duties and shown slackness in preventing illegal mining in his jurisdiction and exhibited lack of integrity, devotion to duty and conduct unbecoming of a public servant in contravention of Rule-3 of APCS (Conduct) Rules, 1964.

Hence, the charge.

V.USHARANI
PRINCIPAL SECRETARY TO GOVERNMENT

// FORWRDED BY ORDER //

SECTION OFFICER

ANNEXURE – III

LIST OF DOCUMENTS BY WHICH ARTICLES OF CHARGE FRAMED AGAINST SRI K.SWAMINAIK, FORMER PANCHAYAT SECRETARY (I/C),KONANKI VILLAGE, PIDUGURALLA MANDAL, PRESENTLY WORKING AS PANCHAYAT SECRETARY, JANAPADU VILLAGE, PIDUGURALLA MANDAL, GUNTUR DISTRICT ARE PROPOSED TO BE SUSTAINED.

*****

1. Collector, Guntur Proceedings Rc.No.3235/PIL/2015, Dt: 24.01.2016.
2. Lr.No.1184/Q/ 2013, dt 11.08.2018, Deputy Director of Mines &Geology, Guntur.
3. Collector, Guntur Rc.No.2149/2015-E4, dt: 11.08.2018 addressed to the Secretary to Govt., Industries & Commerce Dept., Mines & geology, Govt. of A.P., A.P.Secretariat, Amaravati,

V.USHARANI
PRINCIPAL SECRETARY TO GOVERNMENT

// FORWRDED BY ORDER //

SECTION OFFICER

ANNEXURE-IV

LIST OF WITNESSES BY WHOM THE ARTICLE OF CHARGE FRAMED AGAINST SRI K.SWAMINAIK, FORMER PANCHAYAT SECRETARY (I/C),KONANKI VILLAGE, PIDUGURALLA MANDAL, PRESENTLY WORKING AS PANCHAYAT SECRETARY, JANAPADU VILLAGE, PIDUGURALLA MANDAL, GUNTUR DISTRICT ARE PROPOSED TO BE SUSTAINED.

--NIL--

V.USHARANI
PRINCIPAL SECRETARY TO GOVERNMENT

// FORWRDED BY ORDER //

SECTION OFFICER